

GOAL's S.2584 Summary by Subject Matter

The following bullet pointed review of S.2584 by GOAL should absolutely NOT considered a complete analysis that represents all the impacts an "land mines" included in the bills' language. It is merely a brief synopsis of the highlights we have found.

It should also be noted that this summary does not include the massive authority to create limitless regulations and authority of the Attorney General to use the proposed laws in a punitive manner!

The speed at which this page was created may result in necessary future edits and/or additions.

(All the new definitions are the bottom of the page.)

3-D Printing (Section 17)

- Bans the use a 3-dimensional printer or computer numerical control milling machine to manufacture or assemble any gun, or unfinished receiver without a valid license to manufacture firearms.
- Bans the sale and/ or purchase of a 3-dimensional printer or computer numerical control milling machine to any person who does not have a valid license to manufacture firearms if the printer or machine is marketed or sold in a manner that:
 - Advertises that it may be used to manufacture or assemble.
 - Can be promoted that the printer's or machine's use in manufacturing or assembling guns.
 - Includes a digital firearm manufacturing code.
 - A person who possesses, purchases or receives the 3-dimensional printer or computer numerical control milling machine also possesses, purchases or receives a digital firearm manufacturing code.
- Requires a licensed individual that manufactures or assembles a gun to report it within 10 days.
- Bans the sale unless the seller has a valid license to manufacture firearms.
- Codifies that prohibited persons manufacture or assemble.

Assault Weapons (Section 6)

- Essentially codifies the 2016 opinion of the Attorney General on so-called "Assault Weapons" to include:
 - An unfinished frame or receiver, for an AR for instance, could be considered an unfinished machine gun.
 - The gun is a semiautomatic rifle or handgun that was manufactured or subsequently configured with an ability to accept a detachable magazine or a semiautomatic shotgun.
 - The gun (includes unfinished frames and receivers), has internal functional components that are substantially similar in construction and configuration to a listed Assault Weapon.

- A receiver shall be treated as an assault weapon if it closely resembles one and has the 2 features.
- If the gun, and receiver (includes unfinished frames and receivers), was initially as manufactured or originally assembled as an assault weapon it will always be considered such regardless of any modifications.

Grandfathering:

- The weapon won't be considered a copy/duplicate if it was owned and registered in the commonwealth prior to July 20, 2016.

Attempting Shooting at Law Enforcement (Section 46)

- Creates a new criminal law for intentionally shooting at law enforcement.

Covert Weapons (Section 29)

- Bans No person shall knowingly manufacture or assemble or cause to be manufactured or assembled, import, sell, offer for sale, transfer or possess any weapon, loaded or unloaded, which will, is designed to, or may readily be converted to, discharge a bullet or shot, that is constructed in a shape that does not resemble a handgun, short-barreled rifle or short-barreled shotgun including, but not limited to:
 - Covert weapons that resemble keychains, pens, cigarette-lighters or cigarette-packages.
 - An undetectable firearm, rifle or shotgun.

Dangerousness (Section 47)

- Creates new laws dealing unlawful firearms under probation etc.

Digital Codes (Section 17)

- Bans the sharing of any manufacturing codes any person in the commonwealth who does not have a valid license to manufacture firearms.
- Anyone who shares codes may be held strictly liable for personal injury or property damage caused for any gun, or part of a gun, used to cause the harm.

Firearm Industry (Section 20)

- Creates a definition for “Firearm industry member” and “Firearm Industry Product”.
- Bans a member from marketing, or encouraging, to anyone under 18 to unlawfully purchase, unlawfully possess, or unlawfully use a firearm industry product.
- Exemptions:
 - The firearm industry product was sold, made, distributed, or marketed in the commonwealth.
 - The product was intended to be sold, distributed, or marketed in the commonwealth.
 - The product was used or possessed in the Commonwealth, and it was reasonably foreseeable that the product would be used or possessed in this state the commonwealth.

- Encouraging persons under the age of 18 to participate lawfully in hunting or shooting sports.
- Creates liability if someone is harmed by a product for acts or omissions in violation.
- Gives the attorney general authority to bring a civil action for harms caused by any acts or omissions in violation.

Harassment Orders (Section 21)

- Makes a temporary or permanent “Harassment Order” a disqualifier for a license.

Involuntary Mental Health (Sections 4, 23)

This is commonly referred to as being “Section 12ed”. It is an involuntary 72 hour mental health evaluation.

- A law enforcement agency that applies for a “Section 12” on someone must share that information with the state background check system.
- All information regarding the incident must be shared with the state background check system.
- Information shared must not contain descriptions of the person’s medical or psychiatric diagnosis, treatment plans, mental health medications, mental health care providers or other information of a clinical nature. *(This means that if doctors determine there is nothing wrong with the individual, that information cannot be shared with licensing authorities.)*
- Licensing Authorities may use the fact that an applicant has been committed via Section 12 as a “suitability” test without knowing the outcome.
- Seems to allow the Commissioner of Mental Health to determine suitability.
- Allows applicants to submit an affidavit from healthcare professionals that will testify on their behalf.

License Expiration Notice to Law Enforcement (Section 26)

- The department of criminal justice information services shall send electronically or by first class mail to the licensing authority of each such license to carry firearms a notice of the expiration of such license not less than 5 days after the expiration including the expiration date of the license and the name and address of the licensee.

Prohibited Areas (Section 38)

- Any state, county or municipal administrative building or a judicial or court administrative building.
- Any other area of any state, municipality, county or judicial body as they wish.
- Signs stating that the carrying of a firearm is prohibited shall be clearly and conspicuously posted at each entrance of such a building.
- Exemptions:
 - Law enforcement officers.
 - Cities and Towns can opt out.

Red Flag (Section 32, 33, 34, 35, 37)

- Removes the requirement that a person must hold a firearm license to be “red flagged”.
- Clarifies that anyone under an order is not eligible for a new license.
- Notification of license suspension.
- Allows health care petitioners to share protected health information under certain conditions.
- Courts can request health information from health care providers. Such information will be sealed.
- Provides protections for health care providers who either file a petition or don’t file a petition.
- Mandates all guns and ammo can only be held by a licensed retailer.
- Provides appeal processes.
- Information shall be shared with the state and federal background check systems.

Retailers (Section 5, 18, 19, 30)

- A denial of a retailer’s license can be appealed to district court within 10 days. After 10 days there is no appeal.
- The state will create training materials for law enforcement to conduct inspections.
- The state will create regulations for inspections to include:
 - Provisions to ensure that the inspections required under this section are conducted by the licensing authority in a timely manner.
 - Establishing a process for local authorities to opt out and hand the inspections over to the State Police.
- Mandates the state produce materials on suicide prevention and awareness for firearm retailers to post, including:
 - Information on signs and symptoms of depression.
 - State and federal suicide prevention hotlines.
 - Resources for individuals at risk of suicide.
- The state will develop notices to be posted by retailers that will include:
 - Information on signs and symptoms of depression.
 - State and federal suicide prevention hotlines.
 - Resources for individuals at risk of suicide.

Serialization (Section 17, 42, 43, 44, 45)

- Requires serialization of any rifle, shotgun or handgun that has been manufactured or assembled.
- Mandates the serialization of completed or unfinished frames and receivers for import, purchase, sell, offer for sale or transfer ownership or possession.
- Exemptions:
 - An antique as defined in s 27 C.F.R. 479.11
 - Has been rendered permanently inoperable.
 - Law Enforcement
 - Transfer of ownership to a federally licensed gunsmith, manufacturer or importer or to any other federal licensee authorized to serialize firearms.

- Federally licensed gunsmith, manufacturer or importer or by any other federal licensee authorized to serialize firearms.
 - Armed forces.
 - Forensic laboratory.
 - Common carrier.
 - Buybacks/surrender.
 - Non-residents only for organized sport shooting event or competition.
 - New residents for 60 days.
 - Manufactured before October 22, 1968.
- Adds language to the destruction of serial and other matters in criminal law to include a completed or unfinished frame or receiver and some technical corrections to meet the new laws.
 - Exempts licensees authorized to serialize.

Sharing Court Records for Licensing (Section 3)

- A court shall, pursuant to section 35 and section 36C, transmit information contained in court records to the department of criminal justice information services, which shall provide the information to:
 - Licensing authorities.
 - Federal Bureau of Investigation.
 - National Instant Criminal Background Check System.
- Court shall not transmit information solely because a person seeks voluntary treatment or is involuntarily hospitalized for assessment or evaluation.

Shooting a Building (Section 46)

- Creates a new criminal law for intentionally shooting a building or dwelling.

Special Commissions (Section 48, 54)

- Establishes a special commission to study the commonwealth's funding structure for violence prevention services.
- Establishes a special commission to study "emerging firearm technology".
 - a. Review of existing and developing personalized firearm and microstamp technologies.
 - b. Investigation of the accuracy, effectiveness and utility of personalized firearm and microstamp technologies.
 - c. Evaluation of the commercial availability of personalized firearm and microstamp technologies, both in the production of new firearms and modification of existing firearms.
 - d. The creation and operation of a ballistics and forensics gun laboratory in the Worcester Police Department's Real Time Crime Center for the use and benefit of regional law enforcement.
 - e. Evaluation of the risks associated with the use of a digital firearm manufacturing code for machine learning and artificial intelligence.

- f. An investigation of the cost and impacts associated with requiring the use of personalized firearm or microstamp technologies in the commonwealth.
- Establishes a special commission to study, investigate and make recommendations on improvements to firearm data collection, maintenance, access and analysis including:
 - Changes to existing state and local data collection efforts reflecting the updated serialization requirements set forth in this act.
 - Non-retail transfers of ownership or possession of firearms, rifles, shotguns or completed or unfinished frames or receivers.
 - Licensed firearm dealer reporting of sales or transfers of parts of firearms, rifles or shotguns.
 - Data sharing practices between federal, state and local agencies.
 - Data access for licensing authorities as defined in section 121 of chapter 140 of the General Laws related to processing applications for firearm identification cards or licenses to carry firearms.
 - Data access for said licensing authorities to assist in determining whether activity involving the holder of a firearm identification card or license to carry may render said holder a prohibited or unsuitable person.
 - Consolidation and clarification of existing data reporting statutes.

Suppressors (Section 39, 40)

- Adds language to the suppressor ban to include:
 - Firearm, including any combination of parts designed or redesigned and intended for use in assembling or fabricating any such instrument, attachment, weapon or appliance and any part intended only for use in such assembly or fabrication...

Task Forces & Data Collection (Sections 1, 2, 55, 56)

- Creates a trafficking and illegal firearm task force.
 - Track the prevalence and distribution of illegal firearms in the commonwealth.
 - Track the means by which illegal firearms are entering the commonwealth.
 - Study where illegal firearms are used most frequently in violent crimes and suicides.
 - Recommend improvements for how state and local law enforcement agencies can better track and trace the illegal trafficking of firearms.
 - Recommend best practices for the enforcement of statutes regarding the illegal trafficking of firearms.
- Develops a biennial report analyzing and reporting on the firearms trace data.
 - Statistics related to firearms crimes and attempted or completed suicides by firearms.
 - Arrests and prosecutions of firearms-related offenses, to serve as an examination of the effectiveness of the commonwealth's firearms-related regulations.
 - Aggregate data on the source of firearms that have been confiscated and identified as being used in a crime or in an attempted or a completed suicide during the report period, including aggregate information on the manufacturer, whether the firearms were privately made or modified, state of origin and last known point of sale, transfer, loss or theft of

such firearms and, if reasonably ascertainable, such firearms' means of entry into the commonwealth including, but not limited to, by state or federal highway, port of entry or any other means.

- An explanation of substantial changes in state and federal firearms-related laws and firearms-related statistics in the commonwealth.
 - The effectiveness of section 128B of said chapter 140.
 - The effectiveness of current reporting mechanisms for lost and stolen firearms, including identifying the number of firearms traced to crimes and attempted or completed suicides that were determined to have been lost or stolen and, of these firearms, how many were reported lost or stolen prior to their use in the commission of those crimes and attempted or completed suicides.
 - Firearm purchase and sales patterns as they relate to firearms traced to crimes and attempted or completed suicides, including an analysis of the number of firearms traced to a crime or attempted or completed suicide that were originally purchased from a licensed firearm dealer or purchased through a secondary private seller.
 - An analysis of whether the license number used for the purchase or transfer of a firearm used in a crime or attempted or completed suicide was associated with the purchase or transfer of any other firearm, in the commonwealth or any other jurisdiction, within a 12-month period prior or subsequent to the sale of the recovered firearm and the total number of such firearms purchased or transferred by that license holder and whether any of such firearms were also used in the commission of a crime; and provided further, that all data referenced herein or relied upon in compiling the report shall be readily available to the public in an aggregate, nonidentifying and downloadable format.
- Creates reporting on the prosecution of gun crimes to include, charges, dismissals, acquittals, and sentencing.
 - Re-mandates the mandated data collection from the 2014 law. All relevant data as of August 11, 2014, which the date the law was enacted.
 - Statistics related to firearms crimes.
 - Arrests and prosecutions of firearms-related offenses, to serve as an examination of the effectiveness of the commonwealth's firearms-related regulations.
 - Aggregate data on the source of firearms that have been confiscated and identified as being used in a crime or in an attempted or completed suicide during the report period, including aggregate information on the manufacturer, state of origin and last known point of sale, transfer, loss or theft of such firearms.
 - An explanation of substantial changes in state and federal firearms-related laws and firearms-related statistics in the commonwealth; and (v) the effectiveness of section 128B of chapter 140.

Tracing (Section 20)

- All crime guns and suicide guns will be traced, and test fired.

Training (Sections 5, 30, 50, 52)

- Public Health and Public Safety will develop an equity-based program for firearm safety.
- Establishes a special commission to study the benefits and feasibility of adding live-fire training to the requirements for a basic firearms safety certificate. GOAL is listed as a member. The study will include:
 - The cost of such training to applicants, instructors and the commonwealth.
 - The availability of resources necessary to implement the training, including the geographic distribution of ranges and instructors and the capacity of ranges and instructors.
 - Recommendations on the types of firearms, rifles or shotguns that should be included in live-fire training.
 - Academic research regarding the effectiveness of live-fire training in promoting safety and reducing firearms accidents.
 - Any other information related to certified firearms safety instructors or the basic firearms safety certificate and deemed relevant to the study.
- The state will produce suicide prevention and awareness materials for use in firearm training courses. The materials will be distributed by instructors during courses.
 - the prevalence of suicide by firearm compared to other forms of firearms' violence, including demographic trends; (ii) the risks of injury and suicide that may be associated with household firearms, including the rate of survival for suicide attempts by firearms compared to other means of attempted suicide; (iii) best practices for identifying and reducing the risk of suicide involving household firearms; (iv) available resources to learn more about safe practices and suicide prevention; and (v) such additional information as determined by the commissioner of public safety and security to be relevant to this section.
- The executive office of public safety and security, in collaboration with the department of public health, shall develop educational materials on harm reduction which shall be discussed and distributed by the instructor to every participant in a hunter education course pursuant to this section.
- The educational materials shall promote suicide prevention through safe practices by firearms' owners to reduce access to lethal means including:
 - The prevalence of suicide by firearm compared to other forms of firearms' violence, including demographic trends,
 - The risks of injury and suicide that may be associated with household firearms, including the rate of survival for suicide attempts by firearms compared to other means of attempted suicide.
 - Best practices for identifying and reducing the risk of suicide involving household firearms.
 - Available resources to learn more about safe practices and suicide prevention.
 - Additional information on suicide prevention.

Under the Influence (Section 41)

- Creates a standard of under the influence the same as driving.

Voluntary Do Not Sell (Sections 20, 36)

- Creates a state voluntary “do not sell list” that is accessible to licensing authorities.
- Any person who voluntarily registers their name to the list shall be prohibited from the purchase, rental, lease, borrowing, possession and carrying of firearms.
- Makes being on the voluntary do not sell list a disqualifier for a license.
- Information regarding a request to register or deregister cannot:
 - Be used by a court in any legal proceeding.
 - As a condition of receiving employment, benefits, or other services.
 - Or be considered a public record.
- Anyone 18 years of age or older may voluntarily register or deregister. Cannot deregister for 21 days.
- Provides means of processing and identification.
- The department shall engage in a public awareness campaign to raise awareness about the ability of individuals to register with the list.

Definitions:

“Digital firearm manufacturing code” shall mean any digital instructions in the form of computer-aided design files or other code or instructions stored and displayed in electronic format as a digital model that may be used to program a computer numerical control milling machine, a 3-dimensional printer or a similar machine to manufacture, assemble or produce a firearm, rifle, shotgun or completed or unfinished frame or receiver.

“Extreme risk protection order”, an order by the court that orders: (i) the immediate suspension and surrender of a license to carry firearms or a firearm identification card which the respondent may hold; (ii) the respondent to surrender all firearms, rifles, shotguns, machine guns, weapons or ammunition which the respondent owns, possesses or controls at the time of such risk protection order; and (iii) the respondent to refrain from applying for any new firearms licenses or identification cards; provided, however, that an extreme risk protection order shall be in effect for not more than 1 year from the date of issuance but may be renewed upon petition.

SECTION 8. Said section 121 of said chapter 140, as so appearing, is hereby further amended by striking out the definition of “Firearm” and inserting in place thereof the following 4 definitions:-

“Federal licensee authorized to serialize firearms”, a person, firm, corporation or other entity that holds a valid federal license that authorizes the license holder to imprint serial numbers onto firearms, rifles, shotguns and completed or unfinished frames or receivers pursuant to 18 U.S.C. 923 and regulations promulgated thereunder.

“Federally-licensed gunsmith, manufacturer or importer”, a person, firm, corporation or other entity that holds a valid gunsmith license or license to manufacture or import firearms, rifles and shotguns issued pursuant to 18 U.S.C. 923 and regulations promulgated thereunder.

“Firearm”, a stun gun, pistol, revolver or other weapon of any description, loaded or unloaded, that will, is designed to, or may readily be converted to, discharge a shot or bullet other than by compressed air and of which the length of the barrel or barrels is less than 16 inches or, in the case of a shotgun as originally manufactured, is less than 18 inches; provided, however, that “firearm” shall also include the completed or unfinished frame or receiver of any such weapon.

“Firearm industry member”, a person, firm, corporation, or any other entity engaged in the manufacture, distribution, importation, marketing, or wholesale or retail sale of a firearm industry product.

“Firearm industry product”, any of the following: (i) a firearm; (ii) ammunition; (iii) a completed or unfinished frame or receiver; (iv) a firearm component or magazine; (v) a device that is designed or adapted to be inserted into, affixed onto or used in conjunction with a firearm, if the device is marketed or sold to the public, or that was reasonably designed or intended, to be used to increase a firearm’s rate of fire, concealability, magazine capacity or destructive capacity or to increase the firearm’s stability and handling when the firearm is repeatedly fired; or (vi) any machine or device that is marketed or sold to the public, or that was reasonably designed or intended, to be used to manufacture or produce a firearm or any other firearm industry product listed in this paragraph.

“Frame”, the part of a firearm or variant of a firearm that provides the housing or a structure for the primary energized component designed to hold back the hammer, striker, bolt or similar element prior to initiation of the firing sequence, even if pins or other attachments are required to attach the component to the housing or structure; provided, however, that any such part that is identified with an importer's or manufacturer's serial number shall be presumed to be the frame of the weapon unless there is an official determination by the Bureau of Alcohol, Tobacco, Firearms and Explosives or there exists other reliable evidence to the contrary.

“License to manufacture firearms”, a valid license to manufacture firearms, rifles and shotguns issued pursuant to 18 U.S.C. 921, et seq and regulations promulgated thereunder.

“Machine gun”, a weapon of any description or by any name, loaded or unloaded, from which a number of shots or bullets may be rapidly or automatically discharged by 1 continuous activation of the trigger, including a submachine gun; provided, however, that “machine gun” shall also include the finished or unfinished frame or receiver of any such weapon, any part or combination of parts designed and intended solely and exclusively, for use in converting a weapon into a machine gun and any combination of parts from which a machine gun can be assembled if such parts are in the possession or under the control of a person; and provided further, that “machine gun” shall also include bump stocks, trigger cranks and any other rapid-fire trigger activators.

“Manufacture or assemble”, to fabricate, construct, fit together component parts of or otherwise produce a firearm, rifle, shotgun or completed or unfinished frame or receiver, including through additive, subtractive or other processes; provided, however, that “manufacture or assemble” shall not

include firearm reassembly, firearm repair or the making or fitting of special barrels, stocks or trigger mechanisms to firearms, rifles or shotguns.

“Petitioner”, the family or household member, the licensing authority of the municipality wherein the respondent resides or the health care provider filing a petition; provided, however, that any such petitioning health care provider shall be a provider who has provided services to the respondent within the preceding 6 months; provided further, that “health care provider” shall include a licensed physician, licensed physician assistant, registered nurse, licensed practical nurse, certified nurse practitioner, certified clinical nurse specialist, certified psychiatric clinical nurse specialist, licensed psychiatrist, licensed psychologist, licensed mental health counselor, licensed marriage and family therapist, licensed alcohol and drug counselor, licensed independent clinical social worker or licensed certified social worker.

“Rapid-fire trigger activator”, any: (i) manual, power-driven or electronic device that is designed and functions to increase the rate of fire of a semiautomatic firearm, rifle or shotgun when the device is attached to the weapon; (ii) part of a semiautomatic firearm, rifle or shotgun or combination of parts that is designed and functions to increase the rate of fire of a semiautomatic firearm, rifle or shotgun by eliminating the need for the operator of the weapon to make a separate movement for each individual function of the trigger; or (iii) other device, part or combination of parts that is designed and functions to substantially increase the rate of fire of a semiautomatic firearm, rifle or shotgun above the standard rate of fire for semiautomatic weapons that are not equipped with that device, part or combination of parts; provided, however, that adjusting or using a device to adjust the trigger pull weight of a firearm, rifle or shotgun or adjusting or replacing a magazine spring in a firearm, rifle or shotgun shall not cause the firearm, rifle or shotgun to be considered to have a rapid-fire trigger activator.

“Receiver”, the part of a rifle or shotgun, or variants thereof, that provides the housing or a structure for the primary component designed to block or seal the breech prior to initiation of the firing sequence, even if pins or other attachments are required to connect the component to the housing or structure; provided, however, that any such part that is identified with an importer's or manufacturer's serial number shall be presumed to be the receiver of the weapon unless there is an official determination by the Bureau of Alcohol, Tobacco, Firearms and Explosives or there exists other reliable evidence to the contrary.

“Rifle”, a weapon with a barrel length of not less than 16 inches and will, is designed to, or may readily be converted to, discharge a shot or bullet, other than by compressed air, for each pull of the trigger, or the completed or unfinished receiver of any such weapon.

“Security exemplar”, as defined in 18 U.S.C. 922.

“Shotgun”, a weapon with a barrel length of not less than 18 inches with an overall length of not less than 26 inches and will, is designed to, or may readily be converted to, discharge a shot or bullet, other than by compressed air, for each pull of the trigger, or the completed or unfinished receiver of any such weapon.

“Undetectable firearm, rifle or shotgun”, a firearm, rifle or shotgun manufactured, assembled or otherwise comprised entirely of nonmetal substances that: (i) after the removal of grips, stocks and

magazines, is not detectable as a security exemplar by a walk-through metal detector calibrated to detect the security exemplar; or (ii) includes a major component as defined in 18 U.S.C. 922 that, if subjected to inspection by the types of x-ray machines commonly used at airports, would not generate an image that accurately depicts the shape of the component.

“Unfinished frame or receiver”, a forging, casting, printing, extrusion, machined body or similar item that is: (i) designed to or may readily be completed, assembled or otherwise converted to function as a frame or receiver; or (ii) marketed or sold to the public to become or be used as the frame or receiver of a functional firearm, rifle or shotgun once completed, assembled or otherwise converted; provided, however, that “unfinished frame or receiver” shall not include a component designed and intended for use in an antique weapon.

“Valid serial number”, a serial number that has been imprinted by a federal licensee authorized to serialize firearms in accordance with federal law or that has otherwise been assigned to a firearm, rifle, shotgun or completed or unfinished frame or receiver pursuant to the laws of any state or pursuant to 26 U.S.C. 5842 and the regulations promulgated thereunder.